

UTAH STATE COURTS

2021 Annual Report

UTAH OFFICE OF GUARDIAN AD LITEM AND CASA

UTAH OFFICE OF GUARDIAN AD LITEM AND CASA

The job of a Guardian ad Litem attorney carries with it a tremendous responsibility. It is their job to stand in the shoes of the child and zealously advocate for the children the Office of Guardian ad Litem and CASA represents. Our attorneys are committed and well trained, and as such, are an asset to the State of Utah.

In FY2013, the Office of Guardian ad Litem and CASA was asked to develop performance measures and to report on those measures annually to the Executive Offices and Criminal Justice Subcommittee. In FY2014, the Office of Guardian ad Litem and CASA developed these Standards and Performance Measures and they were approved by the Executive Offices and Criminal Justice Subcommittee. The approved Standards and Performance Measures, as well as supporting FY2021 data, are listed below.

STANDARDS & PERFORMANCE MEASURES

Standard I:

GAL Attorneys shall be competent and knowledgeable attorneys and shall participate in training that addresses issues surrounding abuse and neglect, as well as improving legal skills.

Performance Measure I:

The Office of GAL and CASA will measure the participation of GAL attorneys in the required trainings, as well as attorney satisfaction in the subject matter of the provided trainings.

Performance Measure I FY21:

In FY21, the Office of GAL and CASA provided GAL attorney's access to the following trainings: GAL Annual Conference; Court Improvement Conference, NACC VIrtual conference, and the CJC Virtual Conference. These trainings provided valuable information about issues related to abuse and neglect; domestic violence; mental health; and substance abuse, as well as helped improve the advocacy skills of our attorneys.

Standard II:

GAL attorneys shall have caseloads that allow them to adequately represent their clients.

Performance Measure II:

The Office of GAL and CASA will measure the average number of children being represented by GAL attorneys during the fiscal year.

Performance Measure II FY21:

In FY21, GAL attorneys had on average 110 children and 65 families on their caseloads at any given time. This number is decreasing in part to authorization by the legislature to reallocate resources within the Office of Guardian ad Litem and CASA.

Standard III:

GAL attorneys shall ensure that the children they represent are present in court and able to participate when appropriate.

Performance Measure III:

The Office of GAL and CASA will measure the number of children attending post-adjudication hearings as specified in Utah Code Ann. §80-3-108 or if not attending, the reason why the child is not in attendance.

Performance Measure III FY21:

In FY21, more than 50% of children attended and participated in their court hearings. The most common reasons for children not attending their court hearings is that is was impractical for the child to attend or it was detrimental for the child to attend. The Office of GAL and CASA continues to work with the courts and community partners to increase the presence of our clients in court, especially older youth.

Standard IV:

GAL attorneys shall ensure that there is appellate review for decisions affecting their clients

Performance Measure IV:

The Office of GAL and CASA will measure the number of appeals initiated, as well as participated in, by GAL attorneys.

Performance Measure IV FY21:

In FY21, The Office of GAL and CASA participated in 92 appeals on behalf of our clients. We also staffed many other cases to determine the efficacy of an appeal.

Standard V:

GAL attorneys will complete an independent investigation and communicate regularly with their clients.

Performance Measure V:

The Office of GAL will measure the number of completed independent investigations by GAL attorneys, including nonclient contacts; measure the number of client contacts by GAL attorneys, as well as the frequency of those contacts.

Performance Measure V FY21:

In FY21, the Office of GAL attorneys engaged in 65,667 independent investigations on behalf of the 11,910 children we represented. Our GAL attorneys also met with these children 16,670 times. During these communications with our clients, especially older youth, GAL attorneys explained the court process, obtained the clients wishes and identified services with the clients to assist them with returning home or finding another permanent placement.

Standard VI:

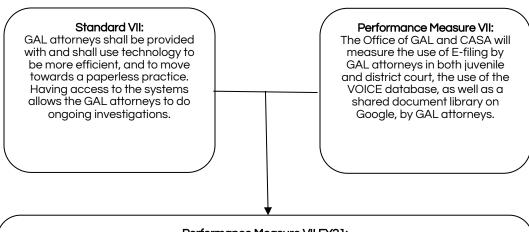
GAL attorneys shall ensure clients and their families receive appropriate services to keep children safely with their families or reunite them whenever practical by attending court hearings and participating in Family Team Meetings.

Performance Measure VI:

The Office of GAL and CASA will measure the number of hearings attended by GAL attorneys and the number of Child & Family Team Meetings in which GAL attorneys participated.

Performance Measure VI FY21:

In FY21, Office of GAL attorneys attended 30,219 hearings on behalf of our clients. During those hearings, our attorneys informed the court about the steps they had taken to prepare for the hearing; they advocated for specific services for the children and their parents, including what was in the best interest of the child, as well as the child's wishes, and the basis for their requests. Our attorneys also participated in 12,433 Child & Family Team Meetings where we advocated for services for our clients and their families. Finally, to try to resolve the issues before the court, as well as giving families a voice in the legal process, our GAL attorneys attended 2,107 mediations.



Performance Measure VII FY21:

In FY21, all Office of GAL and CASA pleadings in the District Court were E-filed through our VOICE database, which interfaces with the court's database system. Additionally, our GAL attorneys have appropriate technology and equipment such as tablets, laptops and smart phones. This allows them to access systems wherever they are, to maximize their time and to continue to move towards a paperless practice. Having access to these systems allows the GAL attorneys to do ongoing investigations.

PRIVATE GUARDIAN AD LITEM PROGRAM

In FY21, the Private Guardian ad Litem program continued to be active. We currently have 79 private attorneys who have accepted over 448 cases this past year, including over 93 pro bono cases. Dixie Jackson, our Private Guardian ad Litem Coordinator, continues to support these private attorneys by responding to questions, providing guidance and attending hearings when necessary. Also, the Best Practice Guidelines were expanded significantly, in the form of a Private Guardian ad Litem Manual, for the Private Guardians ad Litem to be better equipped to handle these difficult cases.

We continue to update our website monthly to keep the list of available Private Guardian ad Litem attorneys as well as the collection of pleadings that attorneys can use and modify. We also provide a Newsletter with information relevant to the role of the Private Guardian ad Litem each month. Finally, to assist the private attorneys comply with CJA R4-906, The Office of the Guardian ad Litem and CASA has hosted sessions of Continuing Legal Education throughout the state.

COURT APPOINTED SPECIAL ADVOCATE (CASA) PROGRAM

The CASA program is a valued resource for the Office of Guardian ad Litem and CASA. During FY21, 937 volunteer advocates served 1,549 children and donated 27,275 hours. Advocates are appointed pursuant to U.C.A. § 78A-2-803, subsection (4) (a) that states:

"An attorney guardian ad litem may use trained volunteers, in accordance with U.C.A. § 67-20-1 et seq...to assist in investigation and preparation of information regarding the cases of individual minors before the court."

CASA volunteers are assigned to an individual case and gather information for the GAL attorneys by visiting consistently with child clients, attending child and family team meetings and court hearings, and tracking the child's progress in school. In addition, these advocates ensure that the child is receiving needed services and is in a safe, nurturing environment by monitoring court orders and reporting to the GAL attorney.

CASA volunteers are carefully screened; they receive a background check and are provided with 32 hours of pre-service training and 12 hours of annual in-service training. Research conducted by the National CASA Association has found that children with CASA volunteers do better in school, spend less time in the foster care system, are less likely to re-enter foster care and are more likely to have a consistent, responsible adult present than other children in care.

UTAH'S FRIENDS OF CASA

Utah's Friends of CASA is a 501(c) (3) nonprofit organization that supports the CASA program by providing supplemental funding for volunteer recruitment, training and retention.